

REMARKS

1. Applicant thanks the Examiner for the Examiner's comments, which have greatly assisted Applicant in responding.

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2. It should be appreciated that Applicant has elected to amend the Claims solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making such amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

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15 3. 35 U.S.C. §112, second paragraph.

(a) The Examiner stated that each of apparatus of Claims 1-34 recites "... means for said decision engine performing: means for authenticating ..., " etc.

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Applicant has amended Claim 1 to correct the claim construction, by deleting the unintended and extraneous "means for... ." Applicant is of the opinion that such amendment overcomes the rejection. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §112, second paragraph.

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(b) The Examiner stated that it is unclear how a static description of a message format could provide the recited coupling.

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Applicant has amended independent Claims 1 and 35 by adding the qualifier "communicatively" to "coupled." Applicant is of the opinion that such amendment overcomes the Examiner's rejection. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §112, second paragraph.

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(c) The Examiner stated that use of the word "matches" suggests an active function of comparing an Internet transaction to an ACH message... and that it is unclear how a static description of a message format would provide such comparison/matching.

Applicant has amended Claims 1 and 35 to incorporate the features, order ID, which facilitates that which was intended by use of the word, matching. Also, Applicant has deleted the word matching from the claim language. Applicant is of the opinion that such amendment overcomes the Examiner's rejection. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §112, second paragraph.

Support for the amendment can be found at least in the Specification as follows (emphasis added):

(On page 15, lines 6-25)

4) **The user input an order ID of the transaction that needs to be stopped or refunded.**

5) **The user views relevant information about that transaction, such as, for example, the following, but is by no means limited to the following:**

a) **Order ID;**

b) **Auction number;**

c) **Buyer's Client User ID;**

d) **Buyer's merchant ID;**

e) **Buyer name;**

f) **Status of the transaction, e.g. already sent to ACH, ACH Return received, past 3-day window, and the like;**

g) **Date/time stamp the transaction was originally received;**

h) **Amount of the original transaction; and**

i) **Balance on the transaction (less previous refunds, etc.).**

6) **The user confirms that the correct transaction and action have been selected by choosing either to execute or cancel the action against the transaction.**

(On page 22, lines 17-22)

In the preferred embodiment, one record is needed on this file for every credit card transaction that is **approved and is ready to settle**. In addition, a record needs to be created for each return. Required data in the preferred

embodiment for each transaction ready to settle or for each return are, but are not limited to, source ID, order ID, merchant ID, seller ID, return/settlement indicator, and return amount.

5 (d) The Examiner objected to the use of "smooth integration..." etc. Applicant has amended Claims 1 and 35 to remove the objectionable language. In view of the discussion hereinabove, Applicant is of the opinion that the amended Claims overcome the Examiner's objection and rejection. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §112, second
10 paragraph.

(e) The Examiner stated that certain phrasing was incomprehensible. Applicant has amended Claims 1 and 35 to remove the objectionable language. In view of the discussion hereinabove, Applicant is of the opinion that the amended Claims
15 overcome the Examiner's objection and rejection. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §112, second paragraph.

(f) The Examiner stated that regarding Claims 5 and 39, it is unclear whether
20 authentication is actually performed.

Applicant has amended Claims 5 and 39 accordingly, to further clarify the invention. Applicant is of the opinion that such amendment overcomes the Examiner's rejection. Accordingly, Applicant respectfully requests that the Examiner withdraw
25 the rejection under 35 U.S.C. §112, second paragraph.

Support for the amendment can be found at least in the Specification on page 9, lines 4-22 as follows (emphasis added):

30 **Authentication of Parties.**

In the preferred embodiment, the registration or enrollment feature of the claimed invention herein takes basic information from both the buyer and the seller such that neither has to re-enter the same information at a later time. That is,
35 **information from the registration feature is stored.** The registration process is binary in that either a yes or no is determined. If the result is no, then the end-consumer may not use a merchant's product. Otherwise, the end-consumer is considered an approved seller or buyer.

In the preferred embodiment, when enrollment or registration requests are made, risk assessment methods and criteria are available. Risk assessments specifically affect processing of enrollments where an indicator, such as, for example, an entitlement flag indicate that eCheck processing is enabled. Seller categorization can also be based on such a list of assessments.

In the preferred embodiment, when enrollment related message units are received by the invention herein, **all data from the message units, as well as any standardized fields, are stored and facilitate building in indices to speed search times in subsequent searches.**

4. 35 U.S.C. §103(a).

(a) The Examiner has rejected Claims 1-9, 11-13, 16-23, 25-43, 45-47, 50-57, and 59-68 under 35 U.S.C. §103(a) as being unpatentable over Kravitz and Gopinathan et al (Gopinathan).

As discussed hereinabove, Applicant has amended Claims 1 and 35 to further clarify the invention. As such, Claims 1 and 35 claim inventive features not disclosed or suggested in either prior art reference, either alone or in combination. Specifically, neither prior art of reference disclose or suggest order ID embedded in transaction information that is used to obtain original transactional information at a later time from, for example, a return.

Accordingly, Applicant is of the opinion that Claims 1 and 35 and the respective dependent claims are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

(b) The Examiner has rejected Claims 14, 15, 48, and 49 under 35 U.S.C. §103(a) as being unpatentable over Kravitz and Gopinathan in view of Blazing A Trail in Point of Sale Transaction.

The rejection of Claims 14 and 48 is deemed moot in view of Applicant's remarks regarding Claims 1 and 35 above. Claims 14 and 48 are dependent upon independent Claims 1 and 35, respectively, which are in allowable condition. Claims 15 and 49 are dependent of Claims 14 and 48, respectively. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

(c) The Examiner has rejected Claims 10, 24, 44 and 58 under 35 U.S.C. §103(a) as being unpatentable over Kravitz and Gopinathan in view Hilts et al (Hilts).

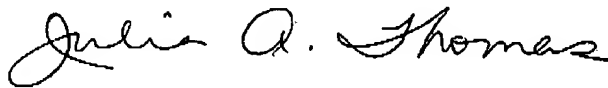
- 5 The rejection of Claims 10, 24, 44 and 58 is deemed moot in view of Applicant's remarks regarding Claims 1 and 35 above. Claims 10, 24, 44 and 58 are dependent upon independent Claims 1 and 35, respectively, which are in allowable condition. Therefore, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

CONCLUSION

5 Based on the foregoing, Applicant considers the present invention to be
distinguished from the art of record. Accordingly, Applicant earnestly solicits the
Examiner's withdrawal of the rejections raised in the above referenced Office Action,
such that a Notice of Allowance is forwarded to Applicant, and the present
application is therefore allowed to issue as a United States patent. The Examiner is
invited to call (650) 474-8400 to discuss the response. The Commissioner is hereby
10 authorized to charge any additional fees due or credit any overpayment to Deposit
Account No. 07-1445.

Respectfully Submitted,

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